

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

LEONICIO GONZALEZ-BARRAGAN,  
Defendant.

No. CR 13-0068 WHA


**ORDER DENYING MOTION FOR  
REDUCTION OF SENTENCE**

A prior order denied defendant's motion in part, and requested the United States and Probation respond to the portion of defendant's motion seeking relief under Amendment 782 to the sentencing guidelines. After considering the parties' arguments on this issue, defendant Leonicio Gonzalez-Barragan's motion for reduction of sentence pursuant to Amendment 782 is **DENIED**.

On July 18, 2014, the U.S. Sentencing Commission voted to add Amendment 782 to the list of amendments in USSG §1B1.10 that may be applied retroactively. The defendant, however, is not eligible for a reduction pursuant to this amendment because he was adjudged guilty of possession with intent to distribute 14.54 kilograms of actual methamphetamine, which results in the same base offense level calculation under both the pre- and post-amendment regime (*see* Dkt. Nos. 19, 27). Accordingly, the amendment has no effect on defendant's sentence. Defendant's motion is **DENIED**.

**IT IS SO ORDERED.**

Dated: November 17, 2017.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE